

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT CARDIOVASCULAR)	
SYSTEMS INC. and ABBOTT)	
LABORATORIES INC.,)	
)	C.A. No. 98-80 (SLR)
Plaintiffs,)	(Consolidated with
)	C.A. No. 98-314 (SLR) and
v.)	C.A. No. 98-316 (SLR))
)	
MEDTRONIC VASCULAR, INC. and)	
MEDTRONIC USA, INC.,)	
)	
Defendants.)	
)	

**DEFENDANTS' NOTICE OF DEPOSITION PURSUANT
TO FED. R. CIV. P. 30(b)(1) FOR GARY SCHNEIDERMAN, Ph.D.**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30(b)(1), defendants Medtronic Vascular, Inc. and Medtronic USA, Inc. (collectively "Medtronic") will take the deposition, upon oral examination, of Gary Schneiderman, Ph.D. before a Notary Public or other officer authorized by law to administer an oath. The deposition will take place at the offices of Gibson, Dunn & Crutcher LLP, One Montgomery Street, Post Montgomery Center, 31st Floor, San Francisco, CA on September 17, 2007, or some other agreed upon location. The deposition will continue from day to day until concluded. The deposition will be recorded stenographically and may be videotaped.

Medtronic further requests that the deponent produce the documents requested in Exhibit A hereto on or before September 10, 2007. The attached requests are subtopics of Medtronic's First Requests for Production of Documents and Things regarding the *eBay* factors. Nonetheless, Medtronic propounds these specific requests so that responsive documents are

produced and segregated in a manner whereby the documents in the witness' possession can be readily identified.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Leslie A. Polizoti (#4299)

Karen Jacobs Louden (#2881)
Leslie A. Polizoti (#4299)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
Attorneys for Defendants Medtronic Vascular, Inc.
and Medtronic USA, Inc.

OF COUNSEL:

Kevin S. Rosen
Matthew A. Hoffman
Anthony S. Newman
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
(213) 229-7000

George M. Sirilla
William P. Atkins
PILLSBURY WINTHROP SHAW
PITTMAN LLP
1650 Tysons Boulevard
McLean, Virginia 22102
(703) 770-7900

August 20, 2007

1216170

EXHIBIT A

EXHIBIT A

DOCUMENTS AND THINGS TO BE PRODUCED BY GARY SCHNEIDERMAN, Ph.D.

REQUEST NO. 1:

All documents, things, reports, books, or other material provided to you in this action or upon which you rely as the basis for your opinions and conclusions in your Declaration, including but without limitation, all such documents which you, or others at your direction, have generated.

REQUEST NO. 2:

A current resume.

REQUEST NO. 3:

Any and all reports, writings, analyses and/or statements prepared by you in connection with your activities as a witness or declarant herein, and all drafts or earlier versions thereof.

REQUEST NO. 4:

All correspondence, including but without limitation, correspondence by electronic mail, between you and Plaintiffs' attorneys or other agents in connection with this action.

REQUEST NO. 5:

All notes or memoranda made by you in connection with your activities as a witness or declarant, or in connection with any assignment to form any opinions herein, including but without limitation, all notes of conversations with Plaintiffs' attorneys or other agents in connection with this action.

REQUEST NO. 6:

Any and all speeches, presentations, and/or articles you have authored or prepared, including but without limitation, those you have relied on and/or that relate to the subject matter of your Declaration filed in this action.

REQUEST NO. 7:

All documents relating to any testimony you have given, whether by deposition, trial or otherwise, in any proceeding at any time, including a transcript of any such testimony.

REQUEST NO. 8:

All documents provided to you by Plaintiffs' attorneys or other agents in connection with this action.

REQUEST NO. 9:

All instructional materials you prepared and/or utilized in connection with any courses and/or seminars you have taught, and/or lectures you have given, relating to the subject matters of your Declaration filed in this action.

REQUEST NO. 10:

All notes or outlines you prepared and/or utilized in connection with your teaching, lecturing, advising, counseling, or commenting on subject matters relating to your Declaration filed in this action.

REQUEST NO. 11:

All documents and things you considered or reviewed in the preparation of your Declaration in this action.

REQUEST NO. 12:

All documents relating to all licenses, assignments, technology transfer agreements, settlement agreements, or other agreements to which Plaintiffs are, were, or considered becoming a party to, since 1997, and that license or purport to license to any party the right to make, use, import, or sell any Stent product or the right to use any technology, intellectual property rights, know-how, or trade secrets relating to the design, manufacture, or use of Stents.

REQUEST NO. 13:

Plaintiffs' policies and practices relating to the licensing of intellectual property rights, including but not limited to intellectual property relating to Stent products.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on August 20, 2007 I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to:

Frederick L. Cottrell, III
Anne Shea Gaza
Richard Layton & Finger

I further certify that on August 20, 2007 I served copies of the foregoing to the following counsel in the manner indicated:

BY HAND & EMAIL

Frederick L. Cottrell, III
Anne Shea Gaza
Richards Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899

BY EMAIL

J. Michael Jakes
Michael A. Morin
Finnegan Henderson Farabow Garrett & Dunner LLP
901 New York Avenue, NW
Washington, DC 20001-4413

/s/ *Leslie A. Polizoti (#4299)*

Leslie A. Polizoti (#4299)